

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

DALTON ERIC CRUTCHFIELD,

Petitioner,

v.

No. 1:16-cv-01167-JDB-egb
No. 1:11-cr-10010-JDB-1

UNITED STATES OF AMERICA,

Respondent.

ORDER GRANTING MOTION TO VACATE, SET ASIDE, AND CORRECT SENTENCE
UNDER 28 U.S.C. § 2255

A motion to vacate, set aside, and correct sentence pursuant to 28 U.S.C. § 2255 was filed by the Petitioner, Dalton Eric Crutchfield, on June 17, 2016 (“Petition”).¹ (Case Number (“No.”) 1:16-cv-01167-JDB-egb, Docket Entry (“D.E.”) 1.) On September 1, 2017, the United States Probation Office issued a memorandum addressing, among other things, the impact of the recent decision of the Sixth Circuit Court of Appeals in *United States v. Stitt*, 860 F.3d 854 (6th Cir. 2017), on this case. On September 14, 2017, the Court directed the Government to respond to the Petition in light of *Stitt*. (*Id.*, D.E. 7.) The Government responded the following day, conceding that, in light of the decision, the relief sought by Crutchfield was warranted. (*Id.*, D.E. 8.) For good cause shown, the Petition is GRANTED. Further, the Clerk is DIRECTED to enter an order of production of the Petition and set a resentencing hearing.

¹ This filing was made by the Assistant Federal Defender on Petitioner's behalf. A second petition was filed by Crutchfield *pro se* on June 27, 2016. (D.E. 5.)

IT IS SO ORDERED this 25th day of September 2017.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE